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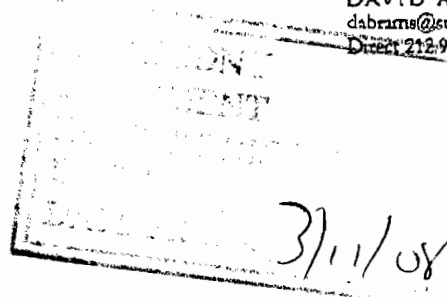
MEMORANDUM ENDORSEMENT

March 10, 2008

VIA FACSIMILE ONLY: (212) 805-4268

Hon. Gabriel W. Gorenstein
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 510
New York, NY 10007

DAVID ABRAMS
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Re: Bernstein, Bradford H. et ano. v. Fairmont Hotels & Resorts(US) Inc.
Docket No.: 07-CV-2991

Dear Judge Gorenstein:

The parties jointly request a modification of the Scheduling Order entered in this case on August 20, 2007 as follows:

1. Extending the time to conduct non-expert depositions from February 20, 2008 to April 11, 2008;
2. Extending the time to complete all non-expert discovery from March 20, 2008 to May 9, 2008;
3. Extending the time to amend pleadings or add new parties from May 8, 2008 to May 30, 2008.

These modifications do not alter or extend the overall period for discovery in this action. The reasons for this request are that witnesses, information, and documents necessary for completion of the above discovery are located in Mexico and thus some further time is required to obtain relevant fact discovery, to ascertain the whereabouts of necessary witnesses, and to make arrangements for such depositions. No previous requests have been made for any extensions. Thank you for your consideration of this matter.

Respectfully submitted,

DAVID ABRAMS (DA-4758)

DA/lt

cc:

Accepted

VIA FACSIMILE ONLY: (212) 227-3030

Gary M. Sunshine, Esq.
Spar & Bernstein, P.C.
Attorneys for Plaintiff

SO ORDERED: DATE: 3/10/2008

GABRIEL W. GORENSTEIN
UNITED STATES MAGISTRATE JUDGE